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SPEECH

OF

HON. T. J. TURNER, OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES, APRIL 6, 1848.

The House being in Committee of the Whole on the state of the Union, on the Resolution to print ten thousand extra copies of the Correspondence between the War Department and Generals Scott and Taylor, and between Mr. Frist and the Department of State—

Mr. TURNER said:

It is true, as the gentleman from Georgia [Mr. STEPHENS] has just remarked, "our country is in a peculiar condition," but this peculiarity does not consist in the fact of there being two parties in the country striving for the ascendancy, with the view of elevating their respective favorites to the Presidency. The same thing has occurred every four years since the election of our first President; but it consists in the fact, that for the first time in our history, we have found ourselves with a conquered nation upon our hands. It is true that Mexico is, in the broadest sense of the term, conquered. Her armies are defeated and dispersed, her ports are in the possession of our navy, her cities and castles are garrisoned with our troops, her revenues are at our control, and our flag is floating from the spires of her capital,—and these all proclaim the consummation of our conquest; and whether right or wrong, the great fact exists, and will forever mark a period in our history, to which coming generations will turn with pride and exultation, or with shame and confusion.

Mr. Chairman, let us examine for a moment what kind of record the Whig party has made of these important events—events which will continue to have a mighty influence for weal or for woe upon the future destiny of this country. Whether the annexation of Texas was the mediate or immediate cause of war, it is not my purpose to inquire; yet all must admit it was that event that turned public attention to our affairs with Mexico. In 1843-'44, when the subject of reannexing Texas was before Congress and the country, the Whig party took ground against that measure, and proclaimed from this Hall, from the other end of the Capitol, and from almost every Whig printing press in the country, that by annexing Texas we robbed Mexico; that the act would not only be just cause for war on the part of Mexico, but that we adopted a war then existing between that country and Texas. How much the speeches made upon that occasion by the Whigs did to inspire the Mexican people with confidence in their cause, it is not for me to inquire; but certain it is, that

from similar speeches they borrowed the idea of the NUECES being the western boundary of Texas. Now, granting that the Whig party honestly entertained the views they expressed, it follows, as a matter of course, that the war was occasioned and commenced by the annexation of Texas, and consequently by the act of Congress—that measure being consummated by Congress, and not by the President; and, least of all, by the present Chief Magistrate, who found the "Lone Star" shining brightly in our great constellation when he took his seat as President.

Time passed, and in May, 1846, the President announced to Congress that a collision of arms had occurred, and called upon that body for men and money to avenge the wrongs sustained. Then spoke the human heart of the country. Stirred by the honest impulses of nature and of patriotism, even the Whigs forgot for a moment their party calculations, and ranged themselves on the side of humanity and the country. Under these holy influences, they cast, with singular unanimity, a vote that will shine as a bright star over the desert of Federalism. I know Henry Clay said at Lexington that you had voted a *lie* upon that occasion. Believe him not. It is the only time you voted the truth upon that subject. It was then that war was declared upon our part. It was then, under the solemnities of an oath, you voted with the Democratic party that war existed by the act of Mexico. But now your tune is changed. The war is popular, and as there is another President to be elected, the issues must be changed. Mr. Polk's administration has risen to such colossal strength, that the whole artillery of Federalism must be brought to bear upon him and those who have stood by him and the country in its hour of trial; and therefore the same party and the same men who last year voted that the war existed by the act of Mexico, this year, under the same solemnities of an oath, voted that the war was unnecessarily and unconstitutionally brought on by the President of the United States. Here, then, we had three distinct and contradictory propositions put forth and maintained by the Whig party, two of which must be false. But, Mr. Chairman, what was the army of 1846, for which the Whig party voted, raised for? Not to protect the frontier of Texas, but to wage war upon Mexico, and from that moment your Generals, Taylor and Scott, have either dictated or sanctioned every im-

portant movement of the army, as will appear from the correspondence which you called out and now refuse to publish to the country.

Sir, we are either at war or we are not at war with Mexico. If Congress has not declared war, then are we not at war, for there is no other power given in the Constitution to declare war; and if Congress has not declared it, then indeed is the blood of the thousands slain in Mexico upon the heads of the President and his coadjutors—Generals Taylor and Scott, and the officers and men of the army; ay, sir, and upon yours too, for you voted to send them there, and furnished them with arms, ammunition, and money to carry on the war. I was struck with the poetical flight of the gentleman from Georgia, [Mr. STEPHENS,] who a few days since described, with so much force and beauty, the scene in General Taylor's camp, on the night preceding the glorious battle of Buena Vista. Sitting around the council-fires, he imagined the Genius that presided over the birth of Washington to be hovering around, to guide and protect that gallant little band. Did the gentleman reflect at that moment that he had solemnly voted that General Taylor and his brave army were prosecuting an unjust and unconstitutional war? Sir, I have mistaken the character of the Genius of Washington, if it would descend from the skies to preside over the conclave of a band of robbers and assassins, who, for the paltry pay they were drawing from the Government, would, at the mere beck and call of James K. Polk, invade a sister republic, and murder its inhabitants by their own firesides and altars! You charge it upon the President: I charge it upon all alike who have aided in the matter, if the war is, as you say, unholy, unjust, unconstitutional, and unnecessary. But, sir, I do not believe it is either. You declared that defeat, disaster, and disgrace would follow in the train of our army. How has that prophecy been fulfilled? Victory has followed victory, in such rapid succession, that the visions of romance have been more than realized, and nothing short of the approving favor of Jehovah could have led to such results.

But, sir, while our country, as I before remarked, is in a peculiar condition, there are some circumstances attending this war that are not so peculiar. In the war of the Revolution, when the patriots of that age were pouring out their life-blood to establish the independence of the country, there was a large party among them who were constantly predicting defeat and disaster—who denounced the war as unholy and wicked—whose hearts and sympathies were with the enemy, and whose prayers commenced with "God save the King!" and concluded with an anathema against Washington and the republican army. Those men were called Tories. In the war of 1812, which was forced upon us by the aggressions of Great Britain, there was a party in the United States which resolved that "it was unbecoming a Christian people to rejoice over the success of our arms and the defeat of the enemy." They also resolved that that war "was founded in falsehood, declared without necessity, and its real object was extent of territory by unjust conquests, and to aid the late tyrant of Europe in his views of aggrandizement." The pulpit and the press, wherever in the hands of that party, teemed with unmeasured abuse of the Presi-

dent and the party who sustained the war. They declared that the blood of all the slain would be upon the heads of Madison and those who contributed, either by their influence, their money, or their lives, to carry on the war. Their politicians declared that the treasury was bankrupt, and that the country would not raise the means to prosecute the war. They held meetings to denounce the war and its authors, and lit up the ever-memorable blue lights along the Atlantic coast. That party and those men were called Federalists. Now that we are engaged in a war with Mexico, we find among us a large party who have resolved that this war was "unnecessarily and unconstitutionally brought on by the President;" that its real object was extent of territory by unjust conquest; and who declare that "the Mexicans are in the right and we in the wrong;" that all our actions have been guided and governed by the devil; that "no duty can be more binding than to refuse the means to prosecute the war;" that "the war was begun in a perfidious and rascally attempt at President-making;" that we had unrighteously invaded Mexico, and that she was fighting for her altars, her firesides, and her religion. In short, from the pulpit, the press, the stump, and from the halls of Congress, the voice of sympathy for Mexico, and denunciation upon the President and those who sustain the war, is heard from one end of this Republic to the other. This party and these men are called Whigs. I shall not stop to inquire whether there is any identity or connection between the parties I have described; nor whether the universal sympathy of the Whig party with Mexico, and their condemnation of the war and its authors, have aided or comforted the enemy. I state the facts, and will leave the country to draw its own conclusions from them.

But, Mr. Chairman, the opposition to the present war is to be found far back of the annexation of Texas. It had its origin in the old Federal notion of confining the limits of this Republic to the original thirteen States. Failing to establish their favorite system of government, they thought to enslave the people by the power of incorporations. The extension of our territory was unfavorable to that scheme, and hence the desperate opposition to the purchase of Louisiana, repeated at the purchase of Florida and the annexation of Texas, and again to be repeated upon the acquisition of California and New Mexico.

The constitutional power of this Government to annex foreign territory, either by treaty or conquest, has been denied by the leaders of the Federal party ever since the propositions for the purchase of Louisiana were submitted to Congress. I therefore propose to examine for a few moments the provisions of the Constitution on that subject. Article fourth, section third, of the Constitution reads thus:

"New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned, as well as of the Congress."

Here, then, we have the power to admit new States clearly granted to Congress, with a restrictive clause in regard to two classes of cases. The first is, that under no circumstances shall a new State be erected within the jurisdiction of any other

State. The second restriction is, that two or more States or parts of States shall not be admitted into the Union as a new State without the consent of the Legislatures of the respective States out of which the new one is formed.

The wisdom of these restrictions became apparent at an early period, when Vermont applied for admission into the Union. But it is objected, that this section of the Constitution contemplated only the organization of new States out of the territory northwest of the Ohio, which had previously been ceded by Virginia in 1784. But, that the framers of the Constitution had not that territory in view, is proved by the fact, that by the very terms of the cession, it was provided that the territory should be divided and formed into new States. I will here read an extract from the articles of cession of March, 1784:

"Provided, That the territory so ceded shall be laid out and formed into States containing a suitable extent of territory not less than one hundred nor more than one hundred and fifty miles square, or as near thereto as circumstances will admit; and that the States so formed shall be distinct republican States, and admitted members of the Federal Union—having the same rights of sovereignty, freedom, and independence, as the other States."

But we are not left to mere conjecture as to whether they had reference only to our domestic territory when they framed the third article; for the sixth article of that instrument provides as follows:

"All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the United States under this Constitution as under the Confederation."

Under the Confederation, a solemn "engagement" had been entered into with Virginia, that all the territory ceded by her should be formed into States and admitted into the Union; and that embraced all the domestic territory we had when the Constitution was adopted. What, then, did the framers of the Constitution have in view when they provided that "new States may be admitted by the consent of Congress into this Union?" It was clearly the purchase, the voluntary cession, the discovery or conquest, of foreign territory; and it is not surprising that the men who conceived the sublime idea of a republican government, deriving all its powers from the consent of the governed—men who conceived and put in motion a system at war with the spirit of all previously-established governments, but in perfect harmony with the great truths of philosophy and Christianity—a system alike admirable for the simplicity of its operations, and the sublime results of its achievements—a system that has not only built up State after State upon this continent, but has penetrated the heart of Europe, and inspired the people of France, of Italy, of Austria, and the Germanic States, to throw off the yoke of tyranny, and to demand the rights of freemen—a system that is destined to destroy thrones and kingcraft, and substitute republican governments throughout the civilized world,—I say it is not surprising that those men should contemplate the extension of our empire beyond the territories of the original thirteen States. It is not surprising that they foresaw and provided for the purchase of territory such as Louisiana and Florida. It is not surprising that they foresaw and provided for a case like Texas, where a brave little Republic, emulating our vir-

tues and our heroism, should ask to throw herself into the arms of her patron and her mother; and least of all is it surprising that they should foresee and provide for the extension of our borders by conquest—the very tenure by which, with the exception of the delegates from Pennsylvania, they held their own property and homes.

Mr. Chairman, it may be answered that the Indian tribes that our fathers drove out, and whose lands we now occupy, were savages, and unfit for freedom and civilization. Well, sir, if that is a reason why their country should be taken from them, I have the highest Whig authority for saying that "the people of New Mexico and California are in a more savage and degraded state than any of the Indian tribes: that the Cherokees, the Choctaws, the Pawnees, the Blackfeet, the Snake, or the Flathead Indians, are much to be preferred to the people of New Mexico." This is the opinion of an influential Whig. For my own part, I am inclined to think the picture is overdrawn; that the people of those provinces are not so degraded. But I contend that the same arguments now used against the acquisition of New Mexico and California, could have been used with equal force against the conquest and purchase of all the territories we have derived from the Indians. The land of New England, which has been called the cradle of liberty, was it not conquered from the Indian tribes? So with a large portion of the South. Penn. indeed, purchased the large State of Pennsylvania from the Indians, and since then large tracts of territory have been frequently purchased of them; but in the end, they have been driven out at the point of the bayonet. It is now said, "If we get any territory from Mexico, either by treaty or otherwise, it will be wrong from her against the consent of her people;" and it is probably true that the Mexican people would prefer to keep their territory; but is it not equally true that the Indian tribes would have preferred to keep their territory? With what reluctance were they made to leave northern Pennsylvania, and Ohio, and Indiana, and Kentucky, and the South! I witnessed myself the removal of the Pottawatomies, the Winnebagoes, and the Sioux, and however it may wound the pride of Mexico to yield to us California and New Mexico, it will not wring their hearts as it did the hearts of those savages when they turned their eyes for the last time upon their council-fires and the graves of their fathers. But the great law of necessity was upon them, as it is now upon Mexico. And who that is not governed by a sickly sentimentality, will for a moment question the wisdom and the goodness that have directed and controlled those great events, which have changed this country from the haunts of savages to the homes of the most enlightened freemen upon earth? And I regard it as no less our right than our duty, to go on extending liberty and law over the provinces now occupied by those who are unable or unwilling to govern themselves.

And, Mr. Chairman, I hold, that aside from the express grant of power to admit new States, the right of conquest is incident to, and inseparable from, the power to make war. No nation goes to war with another without some real or imaginary cause: it is either to resent an injury, or to recover or protect a right. It is difficult to conceive of a case where the nation levying war could recover

precisely the rights which had been invaded. To illustrate more clearly: It would have been difficult, nay impossible, for the American people, in case France had finally refused to pay the twenty millions of francs which were due our country, and which, for a time, threatened the peace of the two countries,—I say it would have been impossible for our navy to have entered a French port and taken from thence twenty millions of francs, and have returned to their own country. If war had ensued on that occasion, we would have been compelled to the conquest of her merchant ships upon the ocean, and having commenced war to recover the right, necessity alone and the laws of war would have compelled us to have prosecuted that war. Not stopping with twenty millions of francs, but twenty times twenty millions, if needs be, would have been taken, until France should have acknowledged the superiority of our arms, and made a peace on honorable terms. So with Mexico; she would not restore to us demands due our citizens for robberies she had committed upon them, and she could not specifically restore the lives of our citizens which she had wantonly taken; and refusing, as she did, to make reparation for the gross injuries we had received from her, she literally drove us into war. Now, as I before said, the specific things cannot be restored or conquered; and, therefore, we must seize upon the property and territory of Mexico, and compel her to do us justice. And I must confess that to my mind conquest, in some shape or other, is the only remedial clause in the laws of war. It is by that right alone that we can take and secure indemnity for the losses and injuries we have sustained, and without that right war is nothing more than national revenge. We have applied that remedy. We have conquered, and now hold absolutely under our control large provinces of Mexican territory; and the question no longer is, how much we shall take from Mexico, but how much shall we give back to her, provided she will make peace. The territory and property which we have taken from Mexico, is absolutely ours, subject to our jurisdiction and control; possession and sovereignty are alike in our hands, and that extended over more country, probably, than we are willing permanently to annex. But so long as Mexico shall refuse peace, no one will question our right to hold on to our conquests; and it is for the United States, and not Mexico, to determine what portion shall be restored to that country.

But, Mr. Chairman, aside from those general principles, what is the relation which now exists between Mexico and the United States? Is it not very similar to that of debtor and creditor? Mexico, with an effrontery unparalleled in the intercourse of nations, has stubbornly refused to carry out her treaty stipulations with us, and growing more insolent and haughty as our patience and forbearance were further extended towards her, she literally compelled us to take up arms and fall back upon the last resort of nations. The consequence is, she is conquered; but she has exhausted her means by internal broils and in the prosecution of the war; she is therefore wholly unable to satisfy our demands in any other way than by parting with a portion of her territory. Now, how would it be in the case of two individuals similarly situated? Would not the debtor's property be sold

to satisfy not only the original debt, but the cost of prosecution? And the same sentimentality that weeps over our taking Mexican territory, would weep over the sale of an individual's property who had obstinately refused the payment of a just debt until the creditor was compelled to collect his demands by law.

Again, Mr. Chairman, I would inquire, what evil has resulted from the incorporation of the extensive territories already annexed? And it does appear to me that the system has been in practice long enough to have brought forth some of the bitter fruits that it was said to contain, and yet I have failed to see the approach either of evil or danger; and unless the spread of Democratic principles be regarded as such, I am disposed to believe it will be difficult for the Whigs themselves to point out where the evil is; and I am led the more strongly to this belief from the fact, that no Whig on this floor has ventured to assert that the country has been injured by former annexations. Will it be contended that no advantages have resulted from annexation? Do the commerce of the Mississippi, with its thousand tributaries, and the wealth and resources of Louisiana, Mississippi, Missouri, Arkansas, Florida, and Texas, add nothing to the general stock of national wealth and power? Have the achievements of the brave officers and soldiers from those States added nothing to our military renown? Do the learning and ability of the Senators and Representatives in Congress from those States add nothing to the character of our National Legislature? And who, sir, would be willing to see the territory embraced within those States, together with the Mississippi and the Gulf of Mexico, in the hands of Spain or of France? And yet the same objections that are urged against further acquisition existed with equal force against the acquisition of any of the territory alluded to. If the navigation of the Mississippi to the Gulf was necessary for an outlet to the trade of the upper country, so is the bay of San Francisco necessary for an inlet to the trade of the east. And who is prepared to say, if that country should be incorporated into this Union, there would not in a few years spring up cities and towns along the coast equal to New Orleans, and those which dot the margins of the Mississippi? Why, sir, if those gentlemen who foresee such danger from the extension of our territory westward would take the trouble to travel into that country, and see the progress of civilization in those regions, where, but a few years since, the smoke of the wigwam and the whoop of the Indian were the only evidences that humanity had its abode there, and see the cities and villages alive with commerce and manufactures, the farms, the dwellings, the orchards, the schoolhouses, the churches, and the people, they would lose all their sickly fears of danger from that quarter. Sir, it is not from spreading out our population over the great fields of the West that this Republic has anything to fear. If time would permit, I should like to trace to their source one or two subjects, which, to my mind, are the only questions fraught with danger to this Union—questions of the most absorbing interest, which may lead to a rupture between the North and the South. It would be found that those questions did not originate in the new States of the West. But where, except to the West, would the country

look for safety, if, by a blind fanaticism of the abolitionists of the North and the ultra slave party of the South, they should sink all other considerations in the all-absorbing idea of slavery or no slavery upon this continent? You would then see that the conservative power of this nation exists precisely where your fears and your prejudices conjure up doubts and dangers.

Who can estimate the advantages which have resulted to our Republic from the purchase of Louisiana, which opened to us the rich valley of the Mississippi? or of Florida and Texas, which gave us the control of the Gulf, and territory sufficient to support an empire? Or who will attempt to calculate the value of New Mexico and California, with bays and harbors destined to be filled with the commerce of the Pacific? And yet there has ever been a party in this country who have predicted ruin and disaster at every acquisition we have made. The gentleman from Ohio [Mr. Root] even informed us that the Anglo-Saxon was a race of land robbers, and that we were illustrating their character in an eminent degree. Whether he alluded to his own ancestors or to the ancestors of the rest of this body, I will not stop to inquire. I know not what the Anglo-Saxon race may do, but it requires no spirit of prophecy to foresee that this Republic is destined to extend its borders from ocean to ocean, until the surrounding nations shall either follow the example of Texas or learn of us virtue and republicanism sufficient to govern themselves. And when we contrast the progress of the Northern colonies with those of the Southern, we can clearly see that while we have filled the highest destiny of man upon earth, in all that regards science, literature, arts, and government, the Spanish colonies have dragged out a sickly existence, without making one progressive step; and but for an event like the present war, would have continued forever in a lethargic state.

Sir, extension and expansion are preëminently democratic, but the anti-war Whigs prefer the government of corporations. The great West has found an outlet for our people, and thus has frustrated their designs. But circumscribe our limits, give corporations the controlling influence, and white slavery will be substituted for black. Of this we have evidences in England and in Massachusetts; for wherever corporations rule, the great mass of the people are enslaved.

The annexation of all the territory contemplated either by the terms of the treaty or by those who would have indemnity for the past and security for the future, is no more than justice demands and national honor requires; and this, Mr. Chairman, leads me to the last point I wish to discuss upon this occasion, and that is, the charge made against Mr. Polk, that he had, from the first, contemplated the absorption of the whole of Mexico. This charge has been gravely put forth, and scarcely a speech has been made on the other side of the House or on the Whig side of the Senate that did not attempt to prove that such was the rapacity and ambition of the President that nothing short of the whole of Mexico would satisfy him; and when the President, like Washington and Adams on similar occasions, for wise and good reasons, refused to furnish to this House his private instructions to Mr. Slidell, the clamor was loud and high that those instructions contained the evidence of his

guilt, and therefore he dare not furnish them to the House; and they finally rested their case upon that as the only evidence they had of his ambitious intentions. Well, Mr. Chairman, those instructions have since been published, and any person who will take the trouble to read them will learn two important facts: the first is, that Mr. Polk acted wisely in view of the great changes which had occurred in the position of the two countries, to withhold from publication those instructions. The second is, that Mr. Polk never contemplated the absorption of the whole of Mexico, nor any part of it, unless Mexico wished to sell us some of her northern provinces.

It has been charged, as I before remarked, that evidence of the President's ambitious designs upon Mexico would be disclosed when his instructions to Mr. Slidell should be published; and to show with what earnestness and bitterness that charge was made, I propose to read an extract from a speech made upon this floor a few days since by the gentleman from Georgia, [Mr. STEPHENS.] Speaking of the refusal of the President to furnish this House with his instructions to Mr. Slidell, he says:

"I shall not moot the question of his power to withhold those instructions from this House and the people. I know we have no power to compel their production. But I submit it to this House and the people, whether it is not the exercise of Executive power bordering on 'royal prerogative,' as the eloquent gentleman from Mississippi [Mr. TOMPKINS] said the other day, to withhold from them and their representatives information so important in relation to the origin and cause of this war? I submit to them, also, whether the reason assigned for withholding them is *any* thing but a *pretext*? If they contained nothing but *good* was honorable, just, honest, and right, as they should, *could* their publication injure our interest or cause *we* Mexico, or any body else? It would rather have the contrary effect, by placing us in the right and them in the wrong before the civilized world. The secret of this matter, I apprehend, is the fear of personal exposure. And he has a much better protection, I doubt not, than the precedent which he quotes affords him, in that clause of the Constitution which provides that no person 'shall be compelled in any criminal case to be a witness against himself.' I had very little hope, when the resolution passed calling for those instructions that we should get them. I believed then, as I do now, that they contained *secrets* connected with the origin of this war that he dare not publish—not from any fear of Mexico—that is idle, absurd, and preposterous—Mexico is *pro-terre*, she is at our mercy—but from a fear of the American people. I had quite as little hope, also, of getting the *facts* in relation to the return of Santa Anna. I had no idea that a man who had so repeatedly outraged and insulted the intelligence of this country and this age by the misstatement and distortion of facts well known, would make a full disclosure of all the circumstances attending a secret transaction so little to his credit as this intrigue with Santa Anna. Who, sir, in this House believes the President in his message upon this subject?"

What is the question at issue that has called down upon the head of the President such unmeasured abuse? Simply his refusal to furnish to this House what he says would be incompatible with the public interest. In his refusal he did nothing more than Washington did under similar circumstances; and from the following extracts from that correspondence, which I propose to submit to the House, it will be apparent that sound public policy required, that while negotiations for peace were pending, those instructions should not be made public, for it is well known that whatever is published in this House soon finds its way into Mexico; and if the importance the President attaches to the purchase of the bay of San Francisco should be made known to Mexico, it would induce them

to hold out for the most exorbitant terms, as will appear from the following extract:

"The possession of the bay and harbor of San Francisco is all-important to the United States. The advantages to us of its acquisition are so striking that it would be a waste of time to enumerate them here. If all these should be turned against our country by the cession of California to Great Britain, our principal commercial rival, the consequence would be most disastrous. The Government of California is now but nominally dependant on Mexico; and it is more than doubtful whether her authority will ever be reinstated. Under these circumstances, it is the desire of the President that you should use your best efforts to obtain a cession of that province from Mexico to the United States. Could you accomplish this object, you would render immense service to your country, and establish an enviable reputation for yourself. Money would be no object when compared with the value of the acquisition. Still, the attempt must be made with great prudence and caution, and in such a manner as not to alarm the jealousy of the Mexican Government. Should you, after sounding the Mexican authorities on the subject, discover a prospect of success, the President would not hesitate to give, in addition to the assumption of the just claims of our citizens on Mexico, twenty-five millions of dollars for the cession."

Then, after authorizing Mr. Slidell to make several other offers, as the exigency of the case might require, he says:

"I need scarcely add, that in authorizing the offer of five millions, or twenty-five millions, or twenty millions of dollars, these are to be considered as maximum sums. If you can accomplish either of the objects contemplated for a less amount, so much more satisfactory will it prove to the President."

Now, sir, would not the publication of these instructions apprise the Government of Mexico of the importance the President attached to the acquisition, and the large sum he was willing to pay for it? And with that knowledge before them, would the Mexican Government ever consent to part with the territory at any price short of the President's maximum? And would any President be true to the best interests of the country who would furnish such information? The case in point is so forcible that it must carry conviction to every candid mind, that the President not only acted wisely in refusing the information, but that sound policy required that such communications should be kept secret until all negotiations are closed on the subject. And who but the President himself, who alone has knowledge of what the document contains, shall judge of the time and expediency of making it public? And I believe the unqualified resolution calling for the instructions would not have passed this House, had not many of those who voted for the resolution believed that the President had wisdom and foresight enough to prevent his making anything public that would be likely to embarrass negotiations.

This correspondence, to use the language of the gentleman from Georgia, [Mr. STEPHENS], has the effect of "placing us (the Administration) in the right and them (the Whigs) in the wrong." I will now submit a few extracts, to show the utter groundlessness of the charge made by the gentleman from Georgia [Mr. STEPHENS] and others, that "the fear of personal exposure" was the reason of his withholding the instructions.

But before proceeding to read the extracts, let me call the attention of the House to what I conceive to be the respective powers and duties of the President and of Congress over the subject. In the first article and eighth section of the Constitution, it is provided that "the Congress shall have power to declare war, grant letters of marque and

'reprisal, and make rules concerning captures on land and water." In the second section of the second article, it is provided that "he (the President) shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers, and consuls." Now, while the war-making power is exclusively vested in Congress, the treaty-making power is as exclusively vested in the President and Senate; and no one will contend that the President, though as much a coördinate branch of the Government as the House of Representatives, would have a right to call upon this body for information concerning that which we thought it to be our duty to keep secret; and yet there would not be that danger from communicating the secrets of the House to the President that there would be in communicating those of the President to the House. In the first instance, the information would be communicated to an individual; in the second, to a popular body, and there to be spread upon the Journals of Congress. Now, what was Mr. Slidell sent to Mexico for? His mission was one of no ordinary character. The relations of peace and good understanding had been broken off between the United States and Mexico; all diplomatic relations had ceased; all former treaties and commercial arrangements were abrogated; and the two nations, though not actually at war, were completely estranged from each other, politically and commercially. With the hope of restoring peace and a good understanding with that country, Mr. Slidell was sent out to make, if possible, a treaty of peace, amity, and commerce, and to restore that good feeling which the President was most anxious should exist between the two republics. Mexico had agreed to settle all the questions in dispute by negotiation; and the object of Mr. Slidell's mission was to make a treaty, and nothing else. The unhappy relations of the two countries, the correspondence between that Government and Mr. Black, and the instructions to Mr. Slidell, all prove, conclusively, that a treaty was the sole object of that mission. Then, under what pretext has this House the right to demand of the President to deliver into our hands the treaty-making power? Or, in other words, what right have we, before a treaty is consummated, to compel the President to furnish us with all the reasons and arguments which he puts into the mouth of his commissioner, to induce Mexico to accept terms? What right have we to compel the President to publish to the world, through the Journals of Congress, his graduated scale of proposals to that Government? But, sir, it is said there is a clause in the Constitution which requires the President from time to time to give information to Congress. So there is; but there is no constitutional provision which requires him to furnish Congress with the private arguments he may authorize a commissioner to employ for the purpose of negotiating a treaty, no more than the President could compel us to furnish him with our reasons for passing a bill before he would sign it. Sir, to my mind, this question involves deeper interests than the mere information sought for. It looks to me very much like an attempt to destroy the independence of a coördinate

branch of this Government; to seize upon the treaty-making power, and appropriate it to this House, or, what is the same thing, place it under our supervision. And, sir, while I would resist the encroachments of Executive power upon Congress, I would resist with equal pertinacity the encroachments of Congress upon the Executive, or upon subjects which the Constitution has placed exclusively under the jurisdiction and control of the President. They are alike encroachments upon the Constitution itself. But I have dwelt longer upon this branch of the subject than I intended, and shall now proceed to read the extracts from the instructions to Mr. Slidell:

"In the present crisis of the relations between the two countries, the office for which you have been selected is one of great importance. To counteract the influences of foreign Powers exerted against the interests of the United States in Mexico, and to restore those ancient relations of peace and good will which formerly existed between the Government and people of the sister republics, will be the principal objects of your mission."

After stating the condition of the Mexican people and the qualifications of Mr. Slidell, he says:

"Unfortunate events have since estranged from us the sympathies of the Mexican people. They ought to feel assured that their prosperity is our prosperity, and that we cannot but have the strongest desire to see them elevated under a free, stable, and republican government, to a high rank among the nations of the earth."

Again, after enumerating our claims against Mexico, he says:

"It will be your duty, in a prudent and friendly spirit, to impress the Mexicans with a sense of their great injustice towards the United States, as well as of the patient forbearance exercised by us. This cannot be expected to endure much longer; and these claims must now speedily be adjusted in a satisfactory manner. Already have the Government of the United States too long omitted to obtain redress for their injured citizens."

"But in what manner can this duty be performed consistently with the amicable spirit of your mission? The fact is but too well known to the world, that the Mexican Government are not now in a condition to satisfy these claims by the payment of money. Unless the debt should be assumed by the Government of the United States, the claimants cannot receive what is justly their due. Fortunately, the joint resolutions of Congress, approved March 1, 1845, for annexing Texas to the United States, presents the means of satisfying these claims in perfect consistency with the interest, as well as the honor, of both republics. It has reserved to this Government the adjustment of all questions of boundary that may arise with other Governments. This question of boundary may, therefore, be adjusted in such a manner between the two republics as to cast the burden of the debt due to American claimants on their own Government, whilst it will do no injury to Mexico."

He then authorizes Mr. Slidell, in case Mexico wishes to part with a portion of her territory, to give five millions of dollars, in addition to the assumption of the debt, for a boundary "from the mouth of the Rio Grande up the principal stream to the point where it touches the line of New Mexico; thence west of the river, along the exterior line of that province, and so as to include the whole within the United States, until it again intersects the river; thence up the principal stream

of the same to its source, and thence due north until it intersects the forty-second degree of north latitude." He is then authorized to pay them, in addition to the assumption of our claims, twenty-five millions of dollars for a boundary that will include Monterey, on the Pacific, or twenty millions for a boundary to include the bay of San Francisco. And then, as if to impress more strongly upon the mind of Mr. Slidell the peaceable character of his mission, he says:

"Your mission is one of the most delicate and important which has ever been confided to a citizen of the United States. The people to whom you will be sent are proverbially jealous, and they have been irritated against the United States by recent events and the intrigues of foreign Powers. To conciliate their good will is indispensable to your success. I need not warn you against wounding their national vanity. You may probably have to endure their unjust reproaches with equanimity. It would be difficult to raise a point of honor between the United States and so feeble and distracted a Power as Mexico. This reflection will teach you to bear and forbear much, for the sake of accomplishing the great objects of your mission. *We are sincerely desirous to be on good terms with Mexico, and the President reposes implicit confidence in your patriotism, sagacity, and ability to restore the ancient relations of friendship between the two republics.*"

Now, Mr. Chairman, you will perceive that the President was willing almost to compromise the honor of the country to restore a state of peace and amity. He proposes to accept as it were a barley-corn, a mere quit-rent, if Mexico will enter again into the bonds of friendship and peace. He proposes, if they wish to sell a portion of their territory, to pay them the highest price therefor; but especially charges Mr. Slidell that the great object of his mission was the restoration of peace and amity between the two countries. The mission failed to attain its object, war ensued, and the whole country is now conquered, and we have a right to dictate the terms of peace. And again the President has shown his anxious desire that Mexico should retain her nationality, by submitting a treaty, illegally made, to the Senate for its ratification. By that treaty, I understand, we are to have New Mexico and Upper California; and, sir, when the revilers of Mr. Polk and his administration shall have been forgotten; when the descendants of those who have opposed the war, and comforted the enemy by declaring that they were fighting for their homes, their firesides, their altars, and their religion, against an ambitious tyrant, who was waging against them an unjust war; when they shall deny that their fathers were the authors of the speeches that nerved the arms of the enemy and cast a gloom over the hopes of their own country,—the name of James K. Polk, connected with the great achievements of his administration, will be cherished in the hearts of one hundred millions of freemen, who will be spread over the face of this republic, enjoying the blessings of a free and happy people, and his administration will be turned to as one of the brightest pages in our country's history.

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